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INTERGOVERNMENTAL NEGOTIATING COMMITTEE FOR
THE ELABORATION OF AN INTERNATIONAL CONVENTION
TO COMBAT DESERTIFICATION IN THOSE COUNTRIES
EXPERIENCING SERIOUS DROUGHT AND/OR
DESERTIFICATION, PARTICULARLY IN AFRICA
Eighth session
Geneva, 5-16 February 1996
Agenda item 2

ORGANIZATION OF SCIENTIFIC AND TECHNOLOGICAL COOPERATION

Note by the Secretariat

Introduction

The present document was prepared in accordance with INCD decision 7/9, which requested the Secretariat to prepare, for the eighth session, draft terms of reference of the Committee on Science and Technology (CST) on the basis of comments and suggestions made at the seventh session and of any further views that might be communicated by its members to the Interim Secretariat.

Section one contains draft terms of reference of the CST prepared by the Secretariat together with a recommendation to, and a draft decision by, the Conference of the Parties (COP). It is based on comments and suggestions at the seventh session and written contributions received thereafter. In preparing this draft, the Secretariat also reviewed precedents of similar bodies established pursuant to other instruments. Several paragraphs of the draft terms of reference are drawn entirely or in part from the Convention. They are paragraphs 1, 2 (a) (i), 2 (a) (iii), 2 (a) (iv), 3, 4, 5, 10 and 14. Subject to guidance by the INCD, the Secretariat will be in a position to prepare a revised draft based on discussions in Working Group II at the eighth session.

Section two reproduces a compilation prepared by the Secretariat during the seventh session (doc. A/AC.241/WG.II(VII)/CRP.1) on the questions of the roster of independant experts and ad hoc panels. The compilation is not a negotiating text as it reflects the totality of the views expressed by INCD members on these topics at the seventh session. Thus, proposals overlap and may be contradictory.

SECTION ONE

TERMS OF REFERENCE OF THE COMMITTEE ON SCIENCE AND TECHNOLOGY

I. DRAFT RECOMMENDATION TO THE CONFERENCE OF THE PARTIES

Terms of reference of the Committee on Science and Technology

The Intergovernmental Negotiating Committee,

Recalling its mandate to prepare for the first session of the Conference of the Parties pursuant to General Assembly resolution 49/234, of 23 December 1994,

Recommends that the Conference of the Parties, at its first session, adopt the following decision:

Terms of reference of the Committee on Science and Technology

The Conference of the Parties,

Recalling article 24, paragraph 1, of the Convention, which provides that the Conference of the Parties shall decide, at its first session, on the terms of reference of the Committee on Science and Technology,

Having reviewed the recommendations of the Intergovernmental Negotiating Committee on the terms of reference of the Committee on Science and Technology,

Decides to adopt the terms of reference attached to the present decision.

II. DRAFT TERMS OF REFERENCE OF THE COMMITTEE ON SCIENCE AND TECHNOLOGY

Introduction

1. In accordance with the provisions of the Convention, the Committee on Science and Technology (the "Committee") is a subsidiary body of the Conference of the Parties. The role of the Committee is to provide the Conference of the Parties with information and advice on scientific and technological matters relating to combating desertification and mitigating the effects of drought to ensure that its decisions are based on the most up-to-date scientific knowledge.

Functions

2. Consistent with the provisions of the Convention, particularly its articles 16 to 18 and 24, the functions of the Committee are as follows.

(a) Advisory functions

(i) Respond to requests by the Conference of the Parties for scientific and technological information needed to implement the Convention, recognizing that the Conference of the Parties may, pursuant to article 22, paragraphs 2(h) and 8 of the Convention, seek the cooperation of, and utilize the services of and information provided by, competent national and international organizations, intergovernmental or non-governmental

(ii) Monitor, and assess the impact of, developments in science and technology leading to a better understanding of desertification or increased capability in combating desertification and mitigating the effects of drought

(iii) Advise the Conference of the Parties on the possible implications of the evolution of scientific and technological knowledge for programmes and activities under the Convention, particularly in connection with the review of implementation pursuant to paragraph 22 (2) (a) of the Convention

(iv) Advise, at the request of the Conference of the Parties, on research priorities for particular regions and sub-regions reflecting different local conditions

(v) Make recommendations to the Conference of the Parties on the establishment of ad hoc panels to provide advice on specific issues regarding the state of the art in the fields of science and technology relevant to combating desertification and mitigating the effects of drought, including general guidelines and recommendations on the terms of reference, composition and duration of the panels

(vi) Advise, at the request of the Conference of the Parties, on the structure, membership and maintenance of the roster of independant experts

(b) Data and information functions

(i) Make recommendations, at the request of the Conference of the Parties, regarding the collection, analysis and exchange of data and information to ensure systematic observation of land degradation in affected areas and assess the processes and effects of drought and desertification

(ii) Make recommendations, at the request of the Conference of the Parties, on pertinent, quantifiable and readily verifiable indicators which might be used in connection with national action programmes

(c) Research and review functions

(i) Make recommendations, at the request of the Conference of the Parties, regarding specialized research on, and evaluation of, scientific and technological issues necessary to implement the Convention

(ii) Identify, as appropriate, new scientific and technological approaches with particular reference to multidisciplinary aspects of combating desertification and mitigating the effects of drought

(iii) Promote co-operative and comparative research between regions with different cultural and socio-economic constraints

(d) Functions related to technology

(i) Make recommendations to the Conference of the Parties on ways and means to identify technology, knowledge, know-how and practices relevant to combating desertification and mitigating the effects of drought

(ii) Make recommendations to the Conference of the Parties on ways and means to promote the exchange of information regarding technology, knowledge, know-how and practices, including through the network referred to in paragraphs 3 and 4

(e) Evaluation functions

(i) Monitor the application of science and technology to research projects relating to the implementation of the Convention and report to the Conference of the Parties

(ii) Examine the scientific and technological quality and feasibility of research conducted pursuant to action programmes under the Convention

Networking of institutions, agencies and bodies

3. In accordance with article 25 of the Convention, the Committee shall, under the supervision of the Conference of the Parties, make provision for the undertaking of a survey and evaluation of the relevant existing networks, institutions, agencies and bodies willing to become units of a network to support the implementation of the Convention. Such evaluation shall be carried out in cooperation with relevant existing networks, institutions, agencies and bodies.

4. On the basis of the results of the survey and evaluation referred to in paragraph 3, the Committee shall make recommendations to the Conference of the Parties on ways and means to facilitate and strengthen networking of the units at the local, national and other levels, with a view to ensuring that the thematic needs set out in articles 16 to 19 of the Convention are addressed.

Composition and Bureau

5. The Committee shall be multidisciplinary and open to the participation of all Parties. It shall be composed of government representatives competent in fields of expertise relevant to combating desertification and mitigating the effects of drought.

6. Each Party my designate one or more experts, on the basis of their recognized competence, to participate in the sessions of the Committee. However, a Party may not be represented by more than one expert at any meeting of the Committee.

7. The Committee shall elect four Vice-Chairpersons, one of which shall act as Rapporteur. Together with the Chairperson, elected by the Conference of the Parties in accordance with rule 31 of the rules of procedure, they shall constitute the Bureau. The Vice-Chairpersons shall be elected from among the experts present at the session with due regard to the need to ensure equitable geographical distribution and adequate representation of affected country Parties, particularly those in Africa. They shall not serve more than two consecutive terms.

Programme of work and reports

8. The Committee shall adopt a programme of work, which may include estimates regarding its financial implications. The programme of work shall be subject to approval by the Conference of the Parties.

9. The Committee shall report regularly to the Conference of the Parties on its work.

Sessions of the Committee

10. In accordance with article 24 of the Convention, the Committee shall meet in conjunction with the ordinary sessions of the Conference of the Parties.

Liaison with scientific community and cooperation with international organizations

11. The Committee shall serve as a liaison between the Conference of the Parties and the scientific community. In carrying out its functions, it shall, in particular, seek to facilitate the exchange of information relating to combating desertification and mitigating the effects of drought between the Conference of the Parties and the scientific community.

12. The Committee shall keep itself informed of the activities of the scientific advisory committees of other Conventions and of relevant international organizations, and shall coordinate its activities and cooperate closely with such organizations to avoid duplication of work and optimize results.

Transparency and availibility of work

13. The results of the work of the Committee shall be in the public domain. Any documents shall be fully and freely accessible to those interested and in a form easily usable. They shall be made available by the Permanent Secretariat through the most efficient and least expensive means of communication.

Support by the Permanent Secretariat

14. In accordance with article 23 of the Convention, the Permanent Secretariat shall make arrangements for sessions of the Committee and provide it with services as required

SECTION TWO

I. INTRODUCTION

1. The following is a compilation of proposals by members of Working Group II at the seventh session, both orally and in writing, on 1) the roster of independant experts and 2) ad hoc panels. To facilitate the deliberations of the Working Group, the proposals are grouped under various sub-headings. When proposals are drawn directly from the Convention, reference is made to the relevant articles.

2. Unlike Section I of the present document, the present Section is not intended to be a negotiating text. It represents the totality of the views expressed on these matters, brought together under various sub-headings. Thus, it includes items that overlap and are contradictory. Discussions at the eighth session will provide the Secretariat with the guidance necessary to prepare a negotiating text on these issues for the ninth session.

II. ROSTER OF INDEPENDENT EXPERTS

A. General comments

3. The Conference of Parties (COP) shall establish and maintain a roster of independent experts from which ad hoc panels may be selected, in accordance with article 24, paragraph 2 of the Convention. The roster shall contain information regarding names, means of contact, a brief description of fields of expertise, and availability. It shall be maintained by the Permanent Secretariat.

4. The roster has no actual mandate, and will receive no instructions. It exists solely as a source of members for *ad hoc* Panels.

5. The purpose of the roster of independant experts is to provide an updated list representive of the existing relevant scientific community. It will serve as a resource to which the Committee on Science and Technology (CST) may turn for assistance in advising the COP.

B. Selection of experts to be included on the roster

6. The Roster should be based on nominations received in writing from the Parties. Nominations would be submitted to the CST for consideration. After review of credentials of the nominees by the CST, recommendations would be made to the COP for inclusion on the Roster, as appropriate.

7. The CST should ensure that the Roster is evenly formed so that scientists and independent experts from different areas of specialisation and from the different geographical areas are adequately represented. It should report to the COP on significant modifications to the Roster.

8. The COP should ensure that there is adequate representation from all geographical zones and relevant areas of specialisation.

9. Nominations are to be made by the Parties in writing, each Party nominating experts in various fields to ensure the multidisciplinary character of the roster. All nominations shall become part of the roster.

10. Nominations are to come from Parties and should be submitted in writing to the CST for consideration.

11. Nominees should have demonstrated expertise and experience in fields relevant to desertification and mitigation of the effects of drought, and have the time and facilities available to perform the tasks that may be required.

12. Each Party shall only nominate its own nationals for inclusion on the roster.

13. The Parties need not limit their nominations to experts from their own country. They may nominate experts regardless of their nationality.

14. There should be one expert per Party. There could be groups of experts on a regional basis.

15. The CST shall circulate the roster to all Parties, members of the UN system, private organizations, academic centers and NGOs, as well as to any other interested organizations.

16. Nominees may be from non-governmental organizations, but may not be nominated by such organizations.

17. Sub-regional organizations could assist in drawing up the roster of experts.

C. Disciplines to be represented

18. The CST should propose to the COP a list of multidisciplinary areas to be reflected in a balanced fashion in the roster, such as:

(a) Climate: agro-meteorology, drought prediction, climate change;

(b) Land and soil resources: productivity, conservation,degradation, land management;

(c) Water resources; hydrological planning, integrated management of ground and surface water, water pollution and quality;

(d) Vegetation and wildlife: biodiversity management and conservation, relation to soil and water conservation, protection against fires.

(e) Agriculture and forestry: traditional and modern systems, wildfires, land restoration, soil and water conservation, pasture and rangeland management;

(f) Social and economic sciences: economics, sociology, anthropology, geography, migration policies, alternative livelihoods and alternative energy sources.

19. The roster of experts should reflect the diversity of knowledge and skills needed to implement articles 16 to 19 of the Convention, including the participation of experts from grassroots organizations and NGOs.

20. The roster could be open-ended, or it could be limited to a number determined by having five to ten experts for each discipline.

21. There should be no limit to the number of experts on the roster, the sole critiria being their relevant expertise.

D. Financial support

22. All developed country Parties that make nominations should agree to fund any participation of their nominees in the work of the CST, including their nominees who may be from other countries and NGOs.

III. AD HOC PANELS

A. General comments

23. Ad hoc Panels are governed by the specifications laid down in Article 24, paragraph 3, of the Convention.

24. The main function of the ad hoc panels is to provide information and advice to the COP, through the CST, on specific issues regarding the state of the art in fields of science and technology relevant to combating desertification and mitigating the effects of drought. (based on Article 24 of the Convention)

25. The COP may appoint ad hoc Panels, as necessary, to provide it with information and advice on specific issues regarding the state of the art in relevant fields of science and technology. The COP identifies issues to be studied and determines their priority.

26. Panels should be appointed from the roster of independent experts, on the recommendation of the Committee on Science and Technology, ensuring their composition reflects a multi-disciplinary approach and broad geographical representation where appropriate.

27. Panels should report to the Conference of Parties through the Committee on Science and technology. The Conference of Parties may ask the Committee to review reports from ad hoc Panels and make recommendations based upon them. The Committee shall not have the power to revise reports from the ad hoc panels.

28. The terms of reference of each panel shall be defined by the COP according to the needs of each case.

B. Composition and size

29. The COP should define, acording to the specific needs of each case, the composition and number of members on each panel and shall also designate a coordinator to conduct its work.

30. The size of each panel should not be predetermined. It can vary depending on the issue being considered. However, it should be kept small, providing balanced geographical representation.

31. Panels should be composed of not more than twelve members. The COP should appoint a co-ordinator, from among the members, to manage the work of each panel and to compile its report.

32. Panel members are chosen from experts listed on the roster of independant experts. They are not members of the CST.

33. Work of the ad hoc panels should be done by correspondence wherever possible. If meetings are necessary, members' expenses shall be reimbursed.

34. When necessary the COP should make arrangements for financial support to be provided to the ad hoc Panels. Developed country Parties shall support the expenses of their own nominees.

C. Number of ad hoc panels

35. Ad hoc panels should not be restricted to a specific number.

36. There could be two ad hoc panels: one charged with making a synthesis of existing knowledge and to initiate new research; the other charged with providing scientific advice on how to put to use the knowledge and know-how to combat desertification. The panels would make recommendations to the COP, through the CST, on issues such as the transfer of technology, capacity-building and financial support

D. Reporting

37. Panels reports should be submitted to the COP through the CST.

E. Financing

38. The financing of panels should not compromise their independance.

39. The COP should provide the necessary funds to enable ad hoc panels to carry out their tasks.